

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **OXYGEN SCAVENGER ACCELERATOR**, the Specification of which:



is attached hereto.

was filed on **November 12, 1999** as Application Serial No. **09/439,615**.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

**PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN)
PRIOR TO THIS APPLICATION AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. §119(a)-(d)**

I hereby claim foreign/PCT priority benefits under Title 35, United States Code, §119 of any foreign/PCT application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN/PCT APPLICATION(S)

Priority Claimed
Yes/No

(Number)

(Country)

(Date Filed)

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) (35 U.S.C. § 119(e))

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

60/108,315
(Application Serial No.)

November 13, 1998
(Filing Date)

PENDING
(Status)

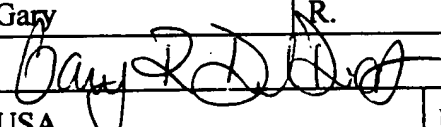
CLAIM FOR BENEFIT OF PRIOR U.S. APPLICATION(S) (35 U.S.C. § 120)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a), regarding events which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

08/700,644	August 8, 1996	ABANDONED
(Application Serial No.)	(Filing Date)	(Status)
(Application Serial No.)	(Filing Date)	(Status)

I hereby direct that all correspondence and telephone calls be addressed to Ronald B. Coolley, Arnold White & Durkee, P.O. Box 4433, Houston, Texas 77210, (312) 744-0090.

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name:	Gary R. DelDuca
Inventor's Signature:	
Country of Citizenship:	USA Date: 11/16/99
Residence Address: (street, number, city, state, and/or country)	82 Howell Street, Canadagua, New York 14424
Post Office Address: (if different from above)	

Inventor's Full Name:	Alan	E.	Deyo
Inventor's Signature:	<i>Alan E. Deyo</i>		
Country of Citizenship:	USA	Date:	<i>11/16/99</i>
Residence Address: (street, number, city, state, and/or country)	66 South Main Street, Rushville, NY 14544		
Post Office Address: (if different from above)			

Inventor's Full Name:	Vinod	K.	Luthra
Inventor's Signature:	<i>Vinod K. Luthra</i>		
Country of Citizenship:	USA	Date:	<i>Nov 15, 99</i>
Residence Address: (street, number, city, state, and/or country)	21 Barrington Hills, Pittsford, NY 14534		
Post Office Address: (if different from above)			

Inventor's Full Name:	Wen	P.	Wu
Inventor's Signature:	<i>Wen P. Wu</i>		
Country of Citizenship:	USA	Date:	<i>Nov. 15, 1999</i>
Residence Address: (street, number, city, state, and/or country)	4 Silver Pines Drive, Pittsford, NY 14534		
Post Office Address: (if different from above)			

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/287,137
Applicant : Gary R. DelDuca *et al.*
Filed : November 4, 2002
Title : METHODS OF USING AN OXYGEN SCAVENGER

TC/A.U. : 1714
Examiner : Joseph D. Anthony

Docket No. : 47097-00962USD1

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73
AND POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Commissioner:

The undersigned, is the Assignee of record of the entire interest in the above-identified application by virtue of an Assignment recorded in the U.S. Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints:

ROBERT L. ABDON, Reg. No. 50,996
TIMOTHY G. ACKERMANN, Reg. No. 44,493
BENJAMIN J. BAL, Reg. No. 43,481
JOSEPH M. BEAUCHAMP, Reg. No. 46,544
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HAROLD N. WELLS, Reg. No. 26,044
WILLIAM D. WIESE, Reg. No. 45,217

all of the firm of JENKENS & GILCHRIST, a Professional Corporation, 225 West Washington Street, Suite 2600, Chicago, Illinois 60606, as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application, provisionals thereof, continuations, continuations-in-part, divisionals, appeals, reissues, substitutions, and extensions

Jenkins & Gilchrist, PC Customer No.: 30223

thereof and to transact all business in the United States Patent and Trademark Office connected therewith, to appoint any individuals under an associate power of attorney and to file and prosecute any international patent application filed thereon before any international authorities, and I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct them in writing to the contrary.

Please address all correspondence and direct all telephone calls to:

John C. Gatz, Esq.
Jenkins & Gilchrist, P.C.
225 West Washington Street, Suite 2600
Chicago, Illinois 60606
312-425-3900 (telephone)
312-425-3909 (fax)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, including the concurrently filed attached Assignment, and certifies that to the best of his knowledge and belief, title remains in the name of PACTIV CORPORATION.

ASSIGNEE: PACTIV CORPORATION

Date: 6/26/00

By:

Name: Jay S. Barnes

Title: Assistant Secretary

ASSIGNMENT:

 Enclosed for recording
 X Previously recorded
Date: January 10, 2000
Reel: 010524
Frame: 0319